REMARKS

The Amendments to the Claims

Applicants respectfully request entry of the above amendments as described below, and reconsideration and withdrawal of the rejection of claims 1-8, 10-12 and 16-17.

Claims 1-8, 10 and 16-17 have been amended to recite the term "salt" rather than the term "derivative."

Claims 1-7 have been amended to recite the term "is" rather than the term "represents."

Claim 8 has been redrafted into independent form.

Claims 9 and 13-15 have been canceled.

Claims 16 and 17 have been redrafted into pharmaceutical composition claims.

Support for these amendments is in the specification as originally filed. No new matter has been added by way of these amendments. No fee is believed due, however, should a fee be deemed to be necessary, the Commissioner is hereby authorized to charge any fees required by this action or any future action to Deposit Account No. 16-1445.

Request For Acknowledgement of Priority

The Examiner has alleged that the filing receipt mailed on May 4, 2007 shows that "The application is a 371 of PCT/IB05/00009 filed 1/11/2005, which is inconsistent with the International application number provided in the Application Data Sheet (PCT/IB05/000079). Further the filing receipt shows a claim to the benefit of foreign priority based on UK 0401384.3 filed on January 22, 2004. The Examiner has also alleged that a certified copy of the priority document was not filed.

Applicants respectfully submit that the instant application is a 371 of PCT/IB05/000079 filed on January 11, 2005 which claims the benefit of U.S. Provisional Patent Appl. No. 60/549,407, filed on March 1, 2004, and to UK

0401384.3, filed on January 22, 2004. A copy of the decision granting the previously filed petitions under 37 CFR 1.182 and 1.137(b) is attached hereto as Appendix A. In the decision it is noted that the USPTO records should be corrected to denote that the instant application is the 371 national stage application of PCT/IB05/00079. Applicants respectfully request the Office to correct the records to reflect this decision.

Applicants also note that the 371 filing date of January 29, 2007 on the filing receipt mailed on May 4, 2007 is incorrect and should instead be August 9, 2006. Applicants respectfully request the Office to correct the filing date. A marked up copy of the filing receipt is attached hereto as Appendix B for reference. In addition, a new Application Data Sheet is being submitted herewith which recites the priority information as provided above.

In response to the Examiner's statement that a copy of the priority document was not filed Applicants are herewith submitting a copy of UK 0401384.3.

In view of the foregoing remarks and attachments Applicants respectfully request acknowledgement that the instant application is a 371 of PCT/IB05/000079 filed on January 11, 2005 which claims the benefit of U.S. Provisional Patent Appl. No. 60/549,407, filed on March 1, 2004, and to UK 0401384.3, filed on January 22, 2004.

The 35 USC § 112 Rejections

Claims 1-17 have been rejected under 35 USC § 112, first paragraph as allegedly lacking enablement for the phrase "pharmaceutically acceptable derivative." The Examiner has stipulated that the specification is enabling for pharmaceutically acceptable salts. The claims, as amended, now recite "a pharmaceutically acceptable salt." Applicants respectfully request that the Examiner reconsider claims 1-8, 10-12 and 16-17, as amended, and withdraw the 35 USC § 112, first paragraph rejection.

Claims 10-17 have been rejected under 35 USC § 112, first paragraph as allegedly lacking enablement for the recited method of treatment claims. The

Examiner has alleged that one of ordinary skill in the art would be required to conduct undue experimentation to practice the recited methods. The Examiner has stipulated that the method is enabling for the treatment of rheumatoid arthritis.

Claims 10-12 are the only remaining method claims since claims 13-15 have been canceled and claims 16-17 are now pharmaceutical composition claims. The instant method of treatment claims have been amended to recite a method of treating primary dysmennorhea, secondary dysmennorhea, premature ejaculation, or rheumatoid arthritis with a compound of Formula I. Applicants respectfully submit that the specification is fully enabled for the treatment of these disorders. Treatment of these disorders is known in the art to be associated with the antagonism of the vasopressin receptor. The instant specification clearly teaches that the compounds of formula I are vasopressin receptor antagonists, particularly as provided in the assays described in the specification at page 26, line 20 through page 28, line 36 and the biological activity results as provided at page 39, lines 13-21. In addition the instant specification clearly teaches dosage forms, regimens and methods of administering the compounds to a patient in need thereof, as set forth in the specification at page 21, line 6 through page 26, line 20. One of ordinary skill in the art would need only follow the teachings provided in the specification to practice the instantly claimed method of treatment. Thus, the instantly claimed methods would not require one of ordinary skill in the art to conduct undue experimentation. Applicants respectfully request that the Examiner reconsider claims 10-12 as amended, and withdraw the USC § 112, first paragraph rejection.

Claims 9-17 have been rejected under 35 USC § 112, second paragraph as allegedly being indefinite.

Claims 9 and 13-15 have been rejected as allegedly providing a use for a compound but not providing any method or process steps. Claims 9 and 13-15 have been canceled by this amendment and thus the rejection of these claims is moot.

Claim 10 has been rejected as indefinite for reciting the term "including" and thus the claim contains a genus and subgenus within the same claim element. The term "including" has been deleted from claim 10 by this amendment. Applicants

respectfully request that the Examiner reconsider claim 10, as amended, and withdraw the 35 USC § 112, second paragraph rejection.

The 35 USC §101 Rejections

Claims 9 and 13-15 have been rejected as allegedly being improper process claims under 35 USC §101 as no proper process steps are recited in those claims. Claims 9 and 13-15 have been canceled by this amendment, thus the rejection of those claims is moot.

In view of the foregoing, Applicants request entry of the amendments, consideration of the amended claims and remarks, and allowance of the application.

Respectfully submitted,

Date: July 10, 2008

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APPENDIX A

United States Patent and Trademark Office

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

15 NOV 2006

PFIZER INC
150 EAST 42ND STREET
5TH FLOOR - STOP 49
NEW YORK NY 10017-5612

In re Application of
Bryans et al.
Application No.: 10/588,876
PCT No.: PCT/IB05/00079
Int. Filing Date: 11 January 2005
Earliest Priority Date: 22 January 2004
Attorney Docket No.: PC25784A
For: Triazole Derivatives Which Inhibit Vasopressin Antagonistic Activity

DECISION

This is in response to the petition under 37 CFR 1.182 filed on 11 October 2006 and the petition under 37 CFR 1.137(b) filed on 09 August 2006.

DISCUSSION

Petition Under 37 CFR 1.182

In a decision mailed on 27 September 2006, it was observed that

> Applicants filed the instant papers, including a Transmittal Letter and a petition under 37 CFR 1.137(b), on 09 August 2006. Inspection of the papers reveals a discrepancy in the international application number to which they are directed. Specifically, the Transmittal Letter is directed to international application number PCT/IB05/00009, while the petition is directed to international application number PCT/IB05/00079. Review of the available records reveals that the published title of international application PCT/IB05/00009 is Radio Network Relocation, while the published title of international application PCT/IB05/00079 is Triazole Derivatives Which Inhibit Vasopressin Antagonistic Activity, neither of which matches the title appearing on the instant Transmittal Letter or petition. A specification referring to international application PCT/IB05/00079 and entitled Triazole Derivatives Which Inhibit Vasopressin Antagonistic Activity is present in the electronic application file. Though it appears that counsel may have intended the instant papers to be directed to the national stage of international application PCT/IB05/00079, a proper petition under 37 CFR 1.182 (and associated petition fee) is required in order to correct the discrepancy noted *supra*. Treatment of the petition under 37 CFR 1.137(b) is being held in abeyance pending resolution of this matter.

In response, applicants filed the instant petition under 37 CFR 1.182. Petitioner states that "Applicants inadvertently identified the application by an incorrect title and serial number in the accompanying Transmittal Letter... Applicants submit that the correct title of the application is 'TRIAZOLE DERIVATIVES WHICH INHIBIT VASOPRESSIN ANTAGONISTIC ACTIVITY' and that the correct serial number is PCT/IB05/00079." The instant petition is accompanied by a new Transmittal Letter, Application Data Sheet and specification with the correct title and international application number recorded thereon respectively. In view of the circumstances presented in this case, it would be appropriate to conclude that the instant

application is the U.S. national stage under 35 U.S.C. 371 of international application PCT/IB05/00079. Accordingly, the petition under 37 CFR 1.182 is **GRANTED**. The corrected Transmittal Letter, Application Data Sheet and copy of the specification accompanying the petition are therefore accepted for entry into the application file as replacements for the respective papers filed on 09 August 2006.

Petition Under 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 09 August 2006 in the above-captioned application is hereby **GRANTED** as follows:

Applicant states that "the entire delay in either entering the national phase in the U.S. or filing a continuation application from the due date of July 23 2006 until the filing of a grantable petition under 37 CFR § 1.137(b) was unintentional." This is being construed as a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." Petitioner must notify the Patent and Trademark Office if such an interpretation of the statement in the petition is not correct. Thus, said statement is being accepted in satisfaction of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has filed the required reply in the form of the basic national fee, and has paid the petition fee. Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

CONCLUSION

The petition under 37 CFR 1.182 is **GRANTED**.

The petition under 37 CFR 1.137(b) is **GRANTED**.

This application is being forwarded to the United States Designated/Elected Office for further processing, including (1) the preparation and mailing of a Notification of Missing Requirements (Form PCT/DO/EO/905) requiring an executed oath or declaration compliant with 37 CFR 1.497(a) and (b) and the surcharge under 37 CFR 1.492(h), and (2) the correction of USPTO records, including PALM records, to reflect that this application is the U.S. national stage of international application PCT/IB05/00079 and that its title is "Triazole Derivatives Which Inhibit Vasopressin Antagonistic Activity."

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APPENDB

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
10/588,876	~~01/29/2007~~ 8/9/2006	1614	1030	PC25784A	17	1

CONFIRMATION NO. 4098

FILING RECEIPT

23913
PFIZER INC
150 EAST 42ND STREET
5TH FLOOR - STOP 49
NEW YORK, NY10017-5612

Date Mailed: 05/04/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

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Assignment For Published Patent Application

Pfizer inc

Power of Attorney: The patent practitioners associated with Customer Number 23913

Domestic Priority data as claimed by applicant PCT/IB05/00079

This application is a 371 of ~~PCT/IB05/00009~~ 01/11/2005
which claims benefit of 60/549,407 03/01/2004

Foreign Applications

UNITED KINGDOM 0401384.3 01/22/2004

If Required, Foreign Filing License Granted: 04/28/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/588,876**

Projected Publication Date: 08/09/2007